

## MINUTES

### MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, June 4, 2007

Council Chambers, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), B. Gardner, R. Hall, K. Holt, P. Kochenburger, B. Ryan, G. Zimmer

Members absent: J. Goodwin, P. Plante

Alternates present: L. Lombard, B. Pociask

Alternate absent: M. Beal

Staff present: G. Padick (Director of Planning)

Chairman Favretti called the meeting to order at 8:10 p.m. Favretti appointed Alternates Lombard and Pociask to act in place of Goodwin and Plante who were absent.

#### Minutes:

5/21/07- Hall MOVED, Gardner seconded, to approve the 5/21/07 PZC meeting minutes as written. MOTION PASSED UANIMOUSLY.

#### Scheduled Business:

##### Zoning Agent's Report

A.- C. were noted. Hirsch updated the Commission that no new activity has occurred at the Edward Hall gravel site. The swimming pool concrete work has been poured on the Eric Hall site in conjunction with the house permit. Gardner questioned if any new activity has occurred at the Paideia site. Hirsch stated that the Building Department and Zoning Office are both waiting on revised plans, and no new activity can begin until these plans have been submitted and approved.

#### Old Business:

Application to amend the Zoning Regulations; Storrs Center Alliance and Mansfield Downtown Partnership, applicants, File #1256

Application to amend the Zoning Map to create a new Storrs Center Special Design District, Storrs Center Alliance and Mansfield Downtown Partnership, applicants, File #1257

Chairman Favretti asked the Director of Planning to explain the legislative action process of an application to amend the Zoning Regulations and Zoning Map. Favretti also announced that while the Commission will discuss two separate applications, items relating to both may be brought up together in the interest of saving time. Padick explained that reasonable conditions can be applied to the approval motion, but since it is a legislative action and not a special permit, it limits the conditions that can be placed on an approval motion. If an item requires major changes or revisions it should not be conditioned, but rather denied.

Favretti asked PZC members to comment on the applications and especially to highlight any issues they have. After each member has spoken he would then like to concentrate discussion on the key issues.

Favretti stated that he was pleased with the Public Hearing and the presentations made by the applicant and their representatives.

Zimmer was impressed with the presentation, and the process and the amount of work the applicant and representatives have done. He continues to be concerned about the connector road to the Post Office Road and would like to see it built in Phase 1 and bonded if needed.

Hall expressed deep concern for the amount of traffic that this project will generate. He also felt that the Commission has only an "idea" of the architectural aspects of the buildings and that some of the details will be subject to change.

Holt expressed her pleasure with the traffic-calming measures presented and the architectural guidelines. She agreed with Zimmer's comments regarding the connector road to the Post Office Road in Phase 1. She had some concerns about live music outside after 11 p.m. and felt the issue could be addressed as a condition in an approval motion. Her biggest concern is for the protection of the conservation land, which she noted will be addressed more when the applicant appears before the Inland Wetlands Agency.

Padick noted that the applicant has agreed to install a "driveway" as a connecting road to Post Office Road, with full public access as part of Phase 1. The finishing of the driveway will not be completed to Town road standards until Phase 4, when the layout of the final buildings may determine a slight move in the location of the road. At that time, the "driveway" connector will be completed to Town standards in its current location or possibly in a modified location.

Kochenburger stated that he supports both applications, and feels the applicants and their representatives did a superb job in presenting the information. He is concerned that the PZC will essentially be giving up much of its authority to a private entity. After learning more about this through questions and answers from staff and the applicants, he is more comfortable knowing that there are sufficient regulatory and political steps in place that insure protection, and that if things go awry the Town and PZC will be able to step in. He also noted that he is very concerned about the traffic problems as previously discussed by other members, and feels that this issue will have to be closely monitored by the Town and the Traffic Authority.

Ryan was pleased overall with the plan and felt comfortable with the Director of Planning updating the Commission on the progress and handling of any issues that may arise. She wondered if the Downtown Partnership would be around for the construction phases.

Padick responded that part of their role, in addition to the initial development of this plan, was to steward the project, and he anticipates them being around at least until the project is complete.

Gardner thought the applicants covered all bases, the plan looks beautiful, and she was pleased with the information provided by all the experts on their team. She was still concerned with traffic on Storrs Road, particularly with the high school across the street. She would like to see a fence in front of E. O. Smith to discourage kids from running down the front hill into traffic. She was also concerned with the water supply and if there would there be enough capacity in the future.

Lombard was very pleased with the level of detail involved in the planning of this project and with the presentation from the applicants and their representatives. He felt as long as safe guards are in place for traffic and water supply concerns, the project should go forth, and noted that fears of the unknown should not be allowed to hinder the project.

Pociask stated that the presentation was very professional, and he was pleased that the applicants always came back with answers to previously raised questions or concerns. He supports both applications, and is also concerned with previously raised concerns by other Commission members about water supply and traffic. He also noted that there is no way to tell what the future repercussions will be, and added that he would like a commitment from the Town to listen to the comments of the people of the neighborhoods after the first phase begins.

Farvretti questioned the traffic plan for Storrs Road, and noted that the State DOT had not yet approved it. He asked if the DOT did not approve it, or greatly modified it, would the plan come back before the PZC. Padick noted that if any significant changes need to be made to satisfy the state, the plan would not be approved by the Director of Planning, but minor changes required by the state would be. Padick also noted that the applicant has been working with the DOT and is confident that no major changes will be required.

Kochenburger asked if and when the roadway (North Hillside Road) connecting to Route 44 would be started. He felt this new road would help to alleviate traffic on Route 195.

Padick noted that at the last Town/University Relations Committee meeting, the road was projected to begin around 2008.

Pociask questioned Padick about the wastewater section of the Draft Master Plan. Padick noted that the Draft Master Plan detailed the sewage treatment plant, and noted that it was upgraded in 1992. The Four Corners area was included in the Master Plan, and Padick indicated that the capacity of the plant is not a concern.

Lombard asked about increasing the wastewater usage. Padick noted that this was an issue the Town identified when submitting its comments for the final plan. The Town does feel that reuse of wastewater should be used to cool the UConn plants.

Holt wanted Dr. Klemens' report on the best management practices for protecting vernal pools and other wetland areas to be referenced in the approval motion and its implementation added as a condition of approval. Padick responded that since it was submitted as part of the official record he does not see any problem with adding that.

Kochenburger agreed that noise ordinances are hard to enforce and wouldn't want the normal restrictions in this area. He added that he feels that Curt Hirsch's public statement is accurate; that residents moving into this area will do so knowing that this is a culturally vibrant community and they will expect a certain degree of activity and noise.

Hall noted that music and noise at celebratory events on the green are different from music outside restaurants, and he is concerned that restrictions on events will be grouped together with those for live music.

Zimmer felt that the regulations should be different at Storrs Center from the regulations in other areas of Town. This area should be the more "vibrant community". He also felt that when residents move in, they should be made aware of the events and cultural activities that will be occurring in their neighborhood so it is not a "surprise" to them.

Favretti noted that there were no further questions. Kochenburger and Hall volunteered to write approval and denial motions with Favretti offering any assistance as needed.

Freedom Green Issues: request for release of escrow funds; authorization to begin Phase IV.C.

The Director of Planning referenced his 6/1/07 memo, and noted that the Attorney representing the applicant contacted him today and indicated that there are a few remaining issues, and the agreement has not been signed yet. At this time, Padick did not recommend any action being taken this evening.

Request for increase in occupancy at Thirsty Dog Pub and Grill, 134 N. Eagleville Rd, File # 930-2

Item tabled-awaiting information from the applicant.

Request for driveway alterations/associated site work along Scenic Road, Moynihan Property,

112 Dog Lane File #1010-5

Item tabled for June 18th Public Hearing.

Proposed Special Permit renewals for removal of material from Hall property on Mansfield Hollow Rd. Ext., (file #910-2) and Banis Property on Pleasant Valley Rd., (file #1221)

Item tabled for June 18th Public Hearing.

UConn Draft Watershed and Wastewater Master Plan

Members had no questions or comments on the report from Director of Planning.

Discussion-Zoning Classification of Pleasant Valley Road area

Padick updated the PZC that the Town Council discussed the PZC's request to look into purchasing identified parcels of agricultural land in the Pleasant Valley Road area. The Town Council agreed with the PZC's and staffs' comments to contact property owners to discuss this, and no response has been received at this time. Padick indicated that the next step for the PZC is to come to a consensus on the most appropriate use of the land, so the Regulatory Review Committee can begin working on the rezoning classification. He suggested working toward another public hearing for this fall. It was suggested by Favretti and others that two or three scenarios should be worked on, one being housing, another being an industrial/research park, and another being a mixed use development. All are to include the agricultural/open space component.

Potential Revisions to PZC/IWA Fee schedule

Item tabled awaiting staff report.

Presentation by Paula Stahl from the Green Valley Institute on Open Space Subdivisions

Item tabled for a June 18th presentation.

New Business:

Request for bonding modification, Wild Rose Estates-2 File #1113-3

Director of Planning summarized his 5/31/07 memo. With no questions or comments from the Commission, Holt MOVED, Hall seconded, that the Planning and Zoning Commission authorize the PZC Chairman with staff assistance to execute a new bond agreement to cover work remaining in Section 2 of the Wild Rose Estates Subdivision off of Mansfield City Road. It is understood that the new bond agreement may be delayed until completion of roadway pavement work. The new bond amount shall be based on the recommendation of the Assistant Town Engineer and Director of Planning, and the completion date shall be October 1, 2007.

Furthermore, that the PZC modify condition #4 of its 10/4/05 approval of Wild Rose Estates Section 2 to authorize up to eight Certificates of Compliance for occupancy of new homes in Section 2 subject to the following:

1. Each new home to be occupied shall be on a segment of roadway having its first layer of pavement.
2. The subdivider shall maintain safe access to all occupied lots.

MOTION PASSED UNANIMOUSLY.

Reports of Officers and Committees:

None

Communications and Bills:

The agenda items were noted.

Adjournment:

Favretti noted the Field Trip scheduled for 6/11/07 at 2:30 p.m., and declared the meeting adjourned at 9:40 p.m.

Respectfully submitted,

Katherine K. Holt, Secretary